



COMMISSION MEETING MINUTES

Indiana Fire Prevention and
Building Safety Commission
Government Center South
302 W. Washington Street
Indianapolis, Indiana 46204
Conference Center Room B

December 5, 2017

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Nicoson at 9:00 a.m. on November 8, 2017.

(a) Commissioners present at the Commission meeting:

Michael Corey
Greg Furnish
Kevin Goeden, representing the Commissioner, Department of Labor
Joseph Heinsman
David Henson
Todd Hite, representing the Commissioner, Department of Health
James Jordan
Robin Nicoson, Chairman
Scott Pannicke
Michael Popich

(b) Commissioners not present at the Commission meeting:

Jessica Scheurich, Vice-Chairman

(c) The following departmental staff were present during the meeting:

James Schmidt, Deputy Attorney General
Douglas Boyle, Director of Fire Prevention and Building Safety Commission
Craig Burgess, State Building Commissioner
Denise Fitzpatrick, Code Specialist
Beth Sutor, Secretary for the Commission

2. Roll call was held, and it was determined a quorum was present.

3. Minutes Approval

Chairman Nicoson called for approval or corrections of the minutes for the November 8, 2017, meeting. Commissioner Popich offered two corrections. In variance 17-11-25, Josh Napier is an inspector for the City of Indianapolis, and the residence is new construction instead of a renovation. Commissioner Corey moved to approve with the corrections. The second was made by Commissioner Henson. It was voted upon and carried.

4. Rulemaking Updates

Commissioner Greg Furnish, Chairman of the Indiana Residential Code Committee, reported that they had met in November and will skip December, and have reviewed up to Chapter 11, saying it was about 20% of the document. He stated that they would like to use the 2018 Residential Code instead of the 2015 Residential Code so that the State so that when it is adopted, it won't be based on a code that's already 4 or 5 years old. He also stated that meeting rooms and parking were unavailable due to the Legislature starting their session, and they would need to move to an off-site location or wait until March to resume meetings. Commissioner Corey moved to approve the committee's request to now use the 2018 as the model code, with the second by Commissioner Heinsman. It was voted upon and carried.

Justin Guedel, staff attorney, provided a brief update on the formation of the Elevator Code Committee. He noted that an inspector of the state was no longer able to serve and had been swapped out from a list provided by Tom Hendricks of Elevator Safety. Commissioner Corey had asked why there was no major elevator manufacturing representative on the committee, and, following a brief discussion, it was decided that Mr. Guedel, Commissioner Corey and Chairman Nicoson would meet concerning this.

5. State Building Commissioner Report

Craig Burgess, State Building Commissioner, had no updates to report at this time.

6. Additions to Agenda

Doug Boyle, Director for the Fire Prevention and Building Commission, requested permission to add two late variances to the agenda. The first, 17-12-60 Heritage Hills High School Grandstand Expansion, Lincoln City, was to be under the A/B section. The second, 17-12-61(a)(b)(c) Sunset View Groceries, Rockville, was to be under the C/D/NVR section. Commissioner Corey moved to allow the additions, with the second by Commissioner Popich. It was voted upon and carried.

7. The proponent for 17-12-07 Zion Tabernacle Apostolic Faith Church, Indianapolis, had requested to be heard at the beginning of the agenda due to an appointment he could not change. Chairman Nicoson had agreed to move the application. Sidney Gaither, MidAmerica Elevator Company, spoke as proponent. The request was to allow the doors of the unit to have manual doors. The

existing key-operated unit, compliant when installed in 1991, had been replaced instead of repaired because the manufacturer had gone out of business, and current code requires power doors. The church provides personnel to operate the doors when the lift is used. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Heinsman. It was voted upon and carried.

8. Determinations of Timeliness for Petitions for Review of Inspection Report Orders

a. Untimely

Vienna-Finley Elementary School

Inspection Report Order Identification Number: SC7653 (10/03/2017 Inspection Date)

Scottsburg Elementary School

Inspection Report Order Identification Number: SC7649 (10/04/2017 Inspection Date)

b. Timely (with ALJ)

Johnson Elementary School

Cause No. DHS-1749-FPBSC-027

Posey County Jail Addition and Renovation

Cause No. DHS-1742-FPBSC-025

Ordinance No. 2017-12 – Chesterton, IN Carbon Monoxide Detectors

Cause No. DHS-1743-FPBSC-026

Vienna-Finley Elementary School

Inspection Report Order Identification Number: SC7653 (11/06/2017 Inspection Date)

Scottsburg Elementary School

Inspection Report Order Identification Number: SC7649 (10/04/2017 Inspection Date)

There had been some confusion concerning the timeliness of the second appeal of inspection for Vienna-Finley Elementary School and Scottsburg Elementary School. The original request for appeal had been untimely. However, Director Boyle was unsure if the schools had been given their appeal rights at the second visit by the state inspector. The report, per Kevin Troy of Fire and Building Code Enforcement, had been marked as a re-inspection and appeal rights were not usually given out at that time. Mr. Boyle suggested this section be tabled until he had contacted the schools' attorney to confirm the receipt of appeal rights. Commissioner Heinsman moved to table until after the lunch recess, with the second by Commissioner Popich. It was voted upon and carried.

9. Commission Action on Non-Final Orders of Dismissal

- a. Elkhart County
Cause No. DHS-1714-FPBSC-008

Doug Boyle presented the Non-Final Orders of Dismissal for the Commission's consideration. Commissioner Corey moved to affirm the orders, with the second by Commissioner Hite. It was voted upon and carried.

10. Review of Local Ordinances

Ordinance No. 2017-03
Auburn, Indiana Chapter 154: Fire Prevention Code

No proponent was present. The ordinance had been received before the scheduled meeting, but the review had not yet been completed. It had been placed on the agenda, as required by statute. Commissioner Corey moved to table, with the second by Commissioner Henson. It was voted upon and carried.

General Ordinance No. 9, 2017
Terre Haute, Indiana Fire Prevention Code

Norm Loudermilk, Assistant Chief Terre Haute Fire Department, appeared as proponent. He explained that the ordinance had been previously submitted, and had been denied with a list of corrections the Commission had suggested. It had been reworked and was resubmitted after approval by the local council. Following discussion, Commissioner Furnish moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

Ordinance No. 2017-11
Austin, Indiana Building Code

No proponent was present. The review had shown no conflicts with code. Following discussion, Commissioner Pannicke moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

Ordinance No. 4446
Michigan City, Indiana Carbon Monoxide Detectors Ordinance

Fire Marshal Kyle Kazmierczak, Michigan City Fire Department, spoke as proponent. The ordinance was to allow the city to require carbon monoxide detectors in Class II structures. They had been told about incorrect terms and conflicts of language in Section 54-282, and were to correct them and bring the adopted changes back. Mr. Kazmierczak had been in communication

with Douglas Boyle, and had received what he considered to be conflicting information about the approval procedure for the ordinance approved by his council and presented to the Commission for their approval. The city attorney had made the requested changes and had sent it to Mr. Boyle, but it had not yet been approved by the council with the changes, a process which requires three readings and would not be completed until February. Mr. Boyle declined to present the amended ordinance because it had not been adopted by the city council. The proponent requested the Commission approve the revised edition of the proposed ordinance which they would submit for the approval by their city council, following their established adoption process, and not enforce it locally until approved by the Commission. Mr. Boyle noted that they had come to the conclusion that carbon monoxide ordinances cannot be denied simply for policy reasons such as that they undermine or erode the statewide code. The Commission's authority to deny an ordinance is restricted to those ordinances which demonstrate specific defects or those that create conflict between two or more Fire or Building Safety laws or regulations. Local ordinances can be more detailed and stringent than the statewide code, meaning that more detailed requirements than those in the Residential Code cannot be considered conflicts, but issues with language and such can create a conflict. Mr. Boyle advised the proponent that the revised ordinance would be reviewed to be sure there were no additional conflicts, then advised the Commission to deny the original ordinance which contained defective language, so that the revised ordinance, when approved, could be considered. Commissioner Furnish moved to deny the original submission, with the second by Commissioner Corey. It was voted upon and carried.

Ordinance No. 77-17

St. Joseph County, Indiana Carbon Monoxide Detectors Ordinance

Chief David Cherrone, Clay Twp. Fire Department, spoke as proponent, introducing the ordinance. The intent when the ordinance was begun was to do what fire service always does, the most good for the most number of people. They noticed the number of rental units in their area is over 38,000, while only 340 certificates of occupancy have been issued to single family homes in St. Joe County. A state statute concerning smoke detectors that is for rental properties was also looked at for guidance in the construction of their ordinance for rental properties. When asked what happens when the people can't afford a detector, Chief Cherrone explained that, just as in the smoke detector statute, it is the responsibility of the landlord to provide the unit. The tenant would be responsible for maintenance if that is in their lease. The plan for enforcement of the ordinance was explained. Commissioner Heinsman moved to table to allow for further review, with the second by Commissioner Jordan. It was voted upon and carried.

Breaking and reconvening: Chairman Nicoson recessed the Commission at 10:21 am. It was called back to order at 10:32 am.

11. Variances

a. Tabled

17-09-69 Edgewood Middle School Sprinklers, Warsaw

Christina Collester, RTM Consultants, spoke as proponent. During an inspection, a roll-down door failed the drop test. It was found to have a jammed hood which was unable to be removed. The proponent stated they will take out the fire link so it can still be maintained and used for security. Following discussion, Commissioner Henson moved to approve, with the second by Commissioner Popich. It was voted upon and carried.

17-10-01 Fire Pump, Ft. Wayne

The application was now complete. Commissioner Furnish moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

17-10-03 Upstairs Bedroom Windows, Bloomington

The application was incomplete and ineligible to be heard. Commissioner Furnish moved to table, with the second by Commissioner Corey. It was voted upon and carried.

17-10-04 North End Community Center, Lafayette

The application was incomplete and ineligible to be heard. Commissioner Heinsman moved to table, with the second by Commissioner Pannicke. It was voted upon and carried.

17-11-06 Remove Occupant Fire Hose, Ft. Wayne

The application was now complete, and was eligible to be included in the block vote. Commissioner Jordan moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

17-11-07(a)(b)(c)(d)(e) Swiss Meadow Amish Parochial School, Monroe

No proponent was present. Commissioner Furnish moved to approve variances a, b, c, and d as approved, and moved no variance required on variance e. Commissioner Corey made the second. It was voted upon and carried.

17-11-21 Fitness Farm Pole Barn, Indianapolis

No proponent was present. Commissioner Popich moved to table, with the second by Commissioner Corey. It was voted upon and carried.

17-11-22 Wooden Middle School 2017 Additions and Renovations, Martinsville

Dennis Bradshaw, FP&C Consultants, spoke as proponent. An existing non-sprinklered school of type II-B construction will have a Type II-B construction addition, causing the facility to exceed allowable area. The proponent requested to use 2-hour fire barrier walls to separate the new addition and a portion of the existing school, thereby reducing the size of the existing fire area. Smoke detection will be provided in the new corridors and connected to the existing corridor smoke detection system. Creating 4-hour structurally independent fire walls is a construction and financial hardship for the school. The proponent was asked about providing structure bracing coming down where the two types of construction meet to provide additional support. A question was raised as to the possibility of providing the 4-hour wall at the new corridor wall. The proponent said he would need to speak with the architect before he could offer the changes suggested. The proponent then requested the application be tabled. Commissioner Henson moved to table with the second by Commissioner Jacobs. It was voted upon and carried.

17-11-25 Hoyt, Indianapolis

Cory Miller and Dan Balasire, Two Chicks and a Hammer, spoke as proponents. Also present was Josh Napier, City of Indianapolis. The variance had been tabled to allow the proponent time to find an acceptable alternative to an operable bedroom window three feet from the property line. The proponent had presented a proposal which consisted of using Type-X gyp board, Flameblock OSB, fire rated caulking, rated glass, and fiber cement siding to create an alternative to a rated assembly. Following discussion and noting the proponent had been made aware of the window issue during framing, Commissioner Pannicke moved to deny with the second by Commissioner Heinsman. It was voted upon and carried. Commissioner Popich abstained.

17-11-29 9210 Warehouse, Noblesville

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Also present was Darryl Cross, Noblesville Fire Department. The request was to allow the warehouse which had been built in 1978 and had been previously used for high-piled storage, to not be made to comply with the current Fire Code requirements for high-piled storage. The proponent noted that a sprinkler system for the warehouse would be more than \$250,000 providing the water line could be run through the neighbor's land. Following discussion, Commissioner Heinsman moved to approve with the condition that no storage of hazardous commodities be allowed. The second was made by Commissioner Goeden. It was voted upon and carried.

17-11-34 50 E. Thompson Convenience Store, Indianapolis

Mario Guerra, contractor, spoke as proponent. He had provided photos of the project which better depicted the finished construction, thereby answering the Commission's questions. Following discussion, Commissioner Scott Pannicke moved to approve, with the second by Commissioner Henson. It was voted upon and carried. Commissioner Popich abstained.

17-11-38 Carniceria El Ranchito, Indianapolis

Carrie Ballinger, RTM Consultants, spoke as proponent. She requested that the application be tabled. They had not yet had their inspection. Commissioner Corey moved to table with the second by Commissioner Jordan. It was voted upon and carried.

17-11-59 Removal of Fire Drop Doors, Shelbyville

No proponent was available to answer the questions from November. Commissioner Pannicke moved to table, with the second by Commissioner Heinsman. It was voted upon and carried.

17-11-70 Burket Educational Center, Burket

Todd Glenn, Maintenance Director, spoke as proponent. The facility, previously an elementary school, was now being used as an alternative learning facility with 20 students and 7 staff members. The kitchen had not been used in 13 years, and lunches are now delivered daily. The request was to allow the ansul system and hood exhaust system to remain in place but not be maintained as operative, should the school system need to reactivate the kitchen. They would place signage on the hood stating it was out of service. With the condition that the hood and gas line to the stove be locked out and tagged out, Commissioner Pannicke moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

(b) New

Chairman Nicoson asked for any variances to be called out for individual consideration or any abstentions. Commissioner Pannicke abstained from 17-12-23 Indianapolis Colts Football Center, Indianapolis. Commissioner Popich abstained from 17-12-50 Vue Apartments, Indianapolis. Commissioner Heinsman abstained from 17-12-52 Brownsburg Mixed Use Development, Brownsburg. Commissioner Corey abstained from 17-12-04 Munster IN Shell, Dryer, 17-12-05(a)(b) Plymouth City Hall Addition and Renovation, Plymouth, and 17-12-28 (a)(b) RQAW Headquarters, Fishers. Commissioner Corey moved to approve the "A" and "B" variances, with the second by Commissioner Jordan. It was voted upon and carried.

The following variances were approved as submitted:

17-12-03(a)(b)(c)(d)(e) Graduate Hotel, Bloomington

17-12-04 Munster IN Shell, Dryer

17-12-05(a)(b) Plymouth City Hall Addition and Renovation, Plymouth
17-12-08(a)(b)(c)(d) whispering Knoll School, Nappanee
17-12-12 SMMC Immediate Care Center, Valparaiso
17-12-13 St. Elizabeth Health East, Lafayette
17-12-14 USI Arena PH II PAC Remodel, Evansville
17-12-15 Storage Express, Indianapolis
17-12-16 Storage Express, Anderson
17-12-17(a)(b) Blackhawk Middle School Kitchen Renovation, Ft. Wayne
17-12-18 Lane Middle School Renovation, Ft. Wayne
17-12-28(a)(b) RQAW Headquarters, Fishers
17-12-47 Barco Family Dentistry, Bloomington
17-12-50 Vue Apartments, Indianapolis
17-12-60 Heritage Hills High School Grandstand Expansion, Lincoln City

C/D/NVR

17-12-01 Menards Expansion, Avon

The application was incomplete and ineligible to be heard. Commissioner Jordan moved to table, with the second by Commissioner Corey. It was voted upon and carried. Commissioner Hite abstained.

17-12-02 Menards Expansion, Lafayette

The application was incomplete and ineligible to be heard. Commissioner Henson moved to table, with the second by Commissioner Corey. It was voted upon and carried. Commissioner Hite abstained.

17-12-06 Sands & Sands Properties Port Hole Inn, Unionville

Tom Sands, owner, spoke as proponent. In 2008 an arson fire had been set to cover a break-in. A permit had been issued by the Monroe County Building Department stating the hood, salvaged from the restaurant, could be used, and was tested by Koorson when installed. A violation had been received in October, stating the hood was non-compliant. Jim Gerstbauer, Monroe County Building Commissioner, addressed the Commission, and confirmed the proponent's presentation, and stating he did not object to the variance. Commissioner Heinsman moved to approve, with the second by Commissioner Pannicke. It was voted upon and carried.

17-12-09(a)(b)(c)(d)(e) Curve Creek Amish School K-6, Berne

No proponent was present. Commissioner Furnish moved to approve (a),(b),(c),(d) which were "A" variances, and (e) as No variance required. Commissioner Corey made the second. It was voted upon and carried.

17-12-10 Removal of Fire Hoses and Reels, Logansport

No proponent was present. The "B" category variance was now complete and eligible to be heard. Commissioner Pannicke moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

17-12-11(a)(b) Fulton County Law Enforcement Center, Rochester

No proponent was present to answer questions. Commissioner Corey moved to table, with the second by Commissioner Jordan. It was voted upon and carried.

17-12-19 De Amicis Mutual Aid Society, Mishawka

George Schaffer, Mishawaka Fire Department, spoke to the Commission. An employee of the facility had been concerned about the safety of the chairlift, and had reported her concerns about the egress width. The 39.5 inch width of the stairway was diminished to 24" where the chairlift was located. The lift was used by elderly members to reach the lower level gathering area. It has an Elevator Safety permit, but no local permits had been issued or the issue would have been addressed early-on. The stairs are not maintained per the speaker. He had asked the club to see if the lift could be modified to fold against the wall to give 32" clearance, and they have not done so. Following discussion, Commissioner Heinsman moved to deny, with the second by Commissioner Henson. It was voted upon and carried.

17-12-20 Grace Community Church Phase III, Goshen

Tim Callas, J&T Consulting, spoke as proponent. The additions in Phase III will put the church over area. The request is to allow the use of a new and existing 2-hour separation and alternative sprinkler protection in lieu of the required 2-hour fire wall between the 2004 and 2007 buildings and the Play Place and Youth Axis Center additions. The building will have an NFPA 13 system throughout with sprinklers spaced a maximum of 6' on center protecting the 2nd floor stud wall. Two-hour precast concrete plank floor assemblies and poured in place concrete flooring on the second floor with 2-hour masonry construction will be used. The stair will be separated with sprinkler and draft curtains. Following discussion, Commissioner Henson moved to approve, with the second by Commissioner Popich. It was voted upon and carried.

17-12-21 Crispy Bird, Indianapolis

John Bennet, architect, spoke as proponent. The request was to allow the installation of a basin style lavatory in lieu of the wall hung lavatory. The knee and toe space under the basin will not be in compliance with ADA requirements. The faucet has been extended toward the front rim of the sink 10 inches to improve access. The entire space is finished and ready for operation. Following discussion, Commissioner Furnish moved to approve with the second by Commissioner Henson. It was voted upon and carried with one nay vote.

17-12-22 (a)(b) SIA-N1 Airlock-Oil Storage, Lafayette

Christina Collester, RTM Consultants, spoke as proponent. Variance (a) was a request to allow the roof insulation of the addition to match the R-11 insulation of the existing construction in lieu of the R-19 required by current code. The addition will add 0.01% to the total roof area of the building. Variance (b) was to permit travel distances in the areas affected by the addition to exceed that allowed by code. The building is sprinklered, and the general public is not allowed in the areas with travel distances most affected by the addition. Commissioner Pannicke moved to approve both, with the second by Commissioner Furnish. It was voted upon and carried.

17-12-23 Indianapolis Colts Football Center, Indianapolis

Dennis Bradshaw, FP&C Consultants, spoke as proponent. Also present was Sam Bruner, Pike Twp. Fire Department. The request was to allow openings through a fire wall which exceeded the allowed 156 square feet, with the total width of the openings at 44.16% of the length of the wall. The building is sprinklered per NFPA 13, and the openings will be protected by 3-hour rated assemblies. Additional close spaced sprinklers at 6 feet on center will be provided on the addition side of the openings. Mr. Bruner did not object to the variance. Commissioner Pannicke moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

17-12-24 Marott Center Addition, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The receptor for the condensate hub drain from the above-ceiling air conditioning units has been cited for not having ready access by virtue of the location above a ceiling, requiring the use of a ladder. The hub drain served the white box office tenant spaces in the building. The engineer of record explained that the use of Chapter 8 in the violation was incorrect since it addresses indirect/special waste from food handling equipment and not air conditioning units. He identified Section 314.2.1 of the Indiana Plumbing Code for air conditioning units condensate drains requirements. Access will be provided by a ceiling panel, and can be reached with a standard step ladder by maintenance personnel. Following discussion, Commissioner Henson moved to approve, with the second by Commissioner Pannicke. It was voted upon and carried. Commissioner Popich abstained.

Breaking and reconvening: Chairman Nicoson recessed the Commission at 12:15 noon. It was called back to order at 1:26 pm.

Douglas Boyle reported that the appeal of the second inspection orders for Vienna-Finley Elementary School and Scottsburg Elementary School had been timely filed since the schools had been given appeal rights with the re-inspection orders, even though it is not standard practice of Code Enforcement to issue appeal rights on re-inspections. The second appeals were to be forwarded to the ALJ for processing. Commissioner Furnish then moved to deny the untimely appeal for Vienna-Finley and Scottsburg Elementary Schools and grant the timely appeals, with the second by Commissioner Corey. It was voted upon and carried.

17-12-25 Sweetwater Pavilion Stage, Ft. Wayne

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow a temporary stage to be in place for 180 days every year beginning in 2018. Per the proponent, he was made aware that the local building official had questions concerning the application, and requested it be tabled. Commissioner Henson moved to table, with the second by Commissioner Pannicke. It was voted upon and carried.

17-12-26 Connor Prairie Chinese House, Fishers

Melissa Tupper, RTM Consultants, spoke as proponent. The request is to allow the travel distance on the second floor to exceed that allowed by code. The building is sprinklered with an NFPA 13 system, and the door leading to the second floor, which has been classified as an S Occupancy but is not structurally sound and is not used, will be locked to prevent access by any but maintenance personnel. The existing stair to the second floor will be removed to allow new compliant restrooms on the first floor. Following discussion, Commissioner Furnish moved to approve, with the second by Commissioner Jordan. It was voted upon and carried. Commissioner Pannicke abstained.

17-12-27(a)(b) Zionsville Government Center, Zionsville

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request in variance (a) was to allow the stair newel posts to project more than 1.5 inches into the stair width. The building is fully sprinklered, and the 3 exit stairs have twice the minimum exit width required by code. Commissioner Popich moved to approve, with the second by Commissioner Jordan. It was voted upon and carried. Variance (b) was to allow the landing in stair C to have a landing width 4 inches shorter than the stair width. Following discussion, Commissioner Pannicke moved to approve, with the second by Commissioner Henson. It was voted upon and carried.

17-12-29 1411 Roosevelt Avenue, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. An existing, 4-story concrete and steel frame industrial building is being converted into a multiple-tenant building. Chapter 34 is being used for the proposed change of occupancy, but the building does not pass in the Fire Safety, Means of Egress, and General Safety columns in the Building Area parameter. The request is to permit scores of 9.6, 8.4, and 7.4 respectively for these areas. The building will be sprinklered, and building elements throughout are 1-hour rated per Table 601. A fire alarm system will be installed throughout. Tim Clapp, Bloomington Fire Department, addressed the Commission, questioning the frequent requests for points to pass Chapter 34. He felt that if the building can't pass on its own, maybe it shouldn't pass, noting the effect on life safety. Margie Bovard, Indianapolis Fire Department, spoke in agreement. Following discussion, Commissioner Furnish moved to approve, with the second by Commissioner Popich. It was voted upon and carried.

17-12-30(a)(b) Walhill Farm Event Barn, Batesville

Melissa Tupper, RTM Consultants, spoke as proponent. A 1960's barn is being converted to an event space. Variance (a) is a request to use Chapter 34. The structural evaluation, included with the application, noted some reinforcement needed. A fire alarm and smoke detection will be installed throughout, and a shunt trip will also be provided. Maximum travel distance is 75 feet, and 4 exits directly to the exterior are provided. There is a warming kitchen. Walter Knaepple, Fire and Building Code Enforcement, addressed the Commission, noting the local officials do not oppose the variances, and that a firewatch had been provided for events which had been scheduled. Variance (b) was a request to allow +19 in lieu of 12 for Building Score in the Fire Safety Column because the building was over allowable area. Discussion was held concerning the calculated occupant load of 692 persons, figured using 15 square feet per person. Commissioner Popich moved to approve both (a) and (b) with the condition that the maximum occupant load be posted at 692 persons. Commissioner Pannicke made the second. It was voted upon and carried.

17-12-31 Posey County Jail Addition and Renovation

Christina Collester, RTM Consultants, spoke as proponent. The Posey County Jail is undergoing renovations and additions to the existing facility. It is Type IIB construction with Group I-3 occupancy. The request is to omit visual notifications of fire alarms in dayrooms, which are not considered public spaces. Notification will be made with private mode signaling, in accordance with NFPA 72, to staff who implement the emergency plan. Since the facility is divided into smoke compartments which allow areas to be evacuated without having to evacuate the entire building, notification being made in an area separate from the event area may cause panic among the inmates if they think they are not being moved to safety. The facility will still maintain pull stations and smoke detectors. Following discussion, Commissioner Corey moved no variance required, with the second by Commissioner Henson. It was voted upon and carried with one nay.

17-12-32 CEDIA Headquarters, Fishers

Dave Cook, Ralph Gerdes Consultants, spoke as proponent. The request was to allow a bicycle storage room to open into an exit stair enclosure leading to the outside. The 3-story office building is fully sprinklered, with each floor having access to two exits. The door assembly of the room will be 1-hour rated, as is the wall assembly. Following discussion, Commissioner Pannicke moved to approve, with the second by Commissioner Henson. It was voted upon and carried.

17-12-33(a)(b)(c)(d)(e)(f) Bottleworks West Elm Hotel, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Variance (d) and (f) had been eligible for the block vote. Commissioner Furnish moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Commissioner Pannicke abstained from voting on all parts of this application. Variance (a) was to allow the second floor egress corridor to go through nonrated intervening rooms which include the lounge and meeting room area. The building will be fully sprinklered as required with smoke detection tied to the fire alarm system. Following discussion, Commissioner Furnish moved to approve, with the second by Commissioner Corey. It was voted

upon and carried. Variance (b) was to allow a 72,000 square foot third floor addition to a building which already exceeds allowable area based on Type IIB construction. It would be used for hotel rooms and a rooftop bar, and would be of noncombustible 1-hour construction. Following discussion, Commissioner Heinsman moved to approve, with the second by Commissioner Henson. It was voted upon and carried. Variance (c) was a request to allow scores of 8.0 for Fire Safety, 9.4 for Means of Egress, and 7.4 for General Safety columns in the Chapter 34 review of the 1930's building in lieu of the negative scores totaling -50.7 in those areas. Following discussion, Commissioner Heinsman moved to approve, with the second by Commissioner Henson. It was voted upon and carried. The proponent requested variance (e) be tabled. Commissioner Furnish moved to table, with the second by Commissioner Corey. It was voted upon and carried.

17-12-34(a)(b) New Hanger for B. Coleman Aviation, Gary

Jim Keilman, architect, spoke as proponent. A change in classification of the existing aircraft storage hanger to a Class I, Division 2 hazardous location was due to the owner wanting to store propeller aircraft in the building with aviation fuel, requiring that electrical switchgear be enclosed with partitions and suitable cut-off per Article 513.3(D). The enclosure will be installed around the service panels and raceway, portions of which are located 18" above the floor, out of the danger area created by aviation fuel and fumes. The enclosure will have 8' high walls with a sealed doorway with closer, effectively cutting off the electrical room from the classified area in the hangar. The LBO is requiring a sealed ceiling or cap to fully enclose the electrical room. Since everything within the hangar above 18" above the floor is not considered Classified Area, the ceiling cap is outside the Classified Area and would offer no additional protection. The request in variance (a) is to omit the caps. Commissioner Pannicke moved to approve, with the second by Commissioner Furnish. It was voted upon and carried. Variance (b) was to allow the use of the existing conduit, installed beneath the concrete floor. It is not threaded but would be connected with metal set-screw connectors to threaded metal conduit stubs at the floor. The inside of the EMT conduits will be sealed with chemical-resistant caulking at the set screw fitting-to-conduit connection before they enter the metal enclosure boxes or appliances above the classified area. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Pannicke. It was voted upon and carried.

17-12-35 Riverview Health Westfield Outpatient Care, Westfield

17-12-36 Riverview Hospital Additions and Renovations, Noblesville

Christina Collester, RTM Consultants, spoke as proponent. Code requires fire walls and vertical fire barriers be permanently identified with signs or stenciling, a job frequently left to a painter who may or may not be trained to read the plans. The request is to allow the life safety information sheets needed for licensing of the facilities to show what the walls are in order to comply with the required markings. Following discussion, Commissioner Hite moved to approve both, with the second by Commissioner Popich. It was voted upon and carried.

17-12-37(a)(b) Marian Hills Farm, Ft. Wayne

Dennis Bradshaw, FP&C Consultants, spoke as proponent. Also present was Kelly Long, manager. In variance (a), the single story barn built in 1881 was to be converted to a Class I structure with an Assembly occupancy using Chapter 34. A structural evaluation by an engineer has been done, and it complies with live loads required by the Building Code. The Fire Safety, Means of Egress, and General Safety evaluation scores also comply with scores required to pass the evaluation. The structure, of heavy timber construction, is not heated and will be used during warmer months of the year, with a calculated occupant load of 340 persons. The electrical service of the barn was done in conduit. There is no kitchen provided. Variance (b) was to allow the use of a mobile restroom trailer during each event instead of compliant, permanent plumbing fixtures within the building. The trailer, paid for by the renter, will provide accessible and compliant facilities, with drinking water available during events. The current well and septic system were installed in the early 1900's and are not adequate for the proposed use of the barn. Public water has been installed to within the road south of the farm, and he will connect when it reaches his road. He would prefer to not spend the money on a well and septic now, but to put the funds toward connecting to the public system when it arrives. Commissioner Hite noted he did not normally like to agree to a three to five year wait for compliant restrooms when the county utilities had not been contacted about a proposed timeline, and actually preferred one year. Commissioner Hite moved to table to allow the proponent to speak to the owner and utilities about a time line and the installation of a septic system. Commissioner Popich made the second. It was voted upon and carried.

17-12-38(a)(b)(c) Lewis Cass High School Additions and Renovations, Walton

Dave Cook, Ralph Gerdes Consultants, spoke as proponent. A gymnasium and two small canopies are being added. The request in variance (a) is to allow the use of an existing exterior wall as a 2-hour fire barrier and a new 2-hour fire barrier on the new gym side to separate the new gym from the existing building. The building is not sprinklered. It was noted the plans showed the new gym as sprinklered. The proponent was unaware of this and asked that he be allowed to check with the architect to verify. Commissioner Pannicke moved to table with the second by Commissioner Popich. It was voted upon and carried. Variance (b) was to omit the rated construction and assemblies in the new corridors. The existing building corridors of 1900 lineal feet are not rated, while the new corridors are 170 lineal feet. The existing smoke detection and fire alarm systems will be extended into the new corridors. Commissioner Heinsman moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (c) was to allow an addition of 14,300 square feet to an existing 178,000 square foot fire area without sprinklering the entire fire area or separating the new addition. The new gym area was to be separated from the existing school with the existing exterior wall as a 2-hour fire barrier and a new 2-hour fire barrier on the new gym side. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Heinsman. It was voted upon and carried.

17-12-39(a)(b)(c) Lewis Cass Elementary School Additions and Renovations, Walton

Dave Cook, Ralph Gerdes Consultants, spoke as proponent. The request in variance (a) was to allow new corridors to not be of rated construction with rated assemblies. The existing

unsprinklered building corridors are 753 lineal feet, and the new corridors are 90 lineal feet. The existing smoke detection and fire alarm system will be extended into the new corridors. Commissioner Heinsman moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (b) was to allow a 2800 square foot addition to be added to an existing 67,010 square foot fire area without sprinklering the entire fire area or separating the addition. Commissioner Heinsman moved to approve, with the second by Commissioner Henson. It was voted upon and carried. Variance (c) was to allow a 2800 square foot addition to be added to an existing 67,010 square foot fire area without sprinklering the entire fire area or separating the addition. Commissioner Heinsman moved to approve, with the second by Commissioner Henson.

17-12-40 Rolls-Royce Plant 5 Assembly and Test, Indianapolis

Dave Cook, Ralph Gerdes Consultants, spoke as proponent. The request was to allow the existing smoke and heat vents in the World War II vintage building to be removed from the engine assembly building as part of an extensive remodeling and retooling. New ordinary hazard sprinkler system will be installed, and 5 new air handling units for full exhaust will be installed. Units will be controlled in 2 separate zones by the fire department at a control panel in the entry lobby of the office and Dock building. Following discussion, Commissioner Heinsman moved to approve, with the second by Commissioner Furnish. It was voted upon and carried.

Breaking and reconvening: Chairman Nicoson recessed the Commission at 3:45 pm. It was called back to order at 3:56 pm.

17-12-38(a) Lewis Cass High School Additions and Renovations, Walton

Commissioner Henson moved to un-table, with the second by Commissioner Corey. It was voted upon and carried. Dave Cook, Ralph Gerdes Consultants, advised the Commission that the gymnasiums were to be sprinklered. Commissioner Heinsman then moved to approve, with the second by Commissioner Henson. It was voted upon and carried.

17-12-41(a)(b) South Side Turnverein, Indianapolis

Carrie Ballinger, RTM Consultants, spoke as proponent. The request in variance (a) was to allow both existing stairways from the third floor to remain unenclosed in the existing 3-story building being converted to offices. Exit discharge is provided from the second floor level, and travel distance is only 86 feet. Following discussion, Commissioner Heinsman moved to approve, with the second by Commissioner Henson. It was voted upon and carried. Commissioner Pannicke abstained. Variance (b) was to allow a score of 5 points for the HVAC system without providing separate systems for each story in the Chapter 34 review. Smoke dampers will be provided in ductwork penetrations between the 2nd and 3rd floors, with the first and 2nd floors being served

separately. Smoke detection will be provided throughout. Following discussion, Commissioner Heinsman moved to approve, with the second by Commissioner Henson. It was voted upon and carried.

17-12-42 Pizza Venturi LLC Remodel, Goshen

Carrie Ballinger, RTM Consultants, spoke as proponent. Code requires a Type 1 hood to be installed where cooking appliances produce grease or smoke during cooking. The request is to omit the hood in the site-built wood-fired bread oven. The oven, using a natural draft ventilation with chimney, will only be used for bread, and will not produce grease-laden vapors. Following discussion, Commissioner Heinsman moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

17-12-43 MJ Insurance, Carmel

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Rules of the Commission require the use of an automatic fire-extinguishing system installed as an alternative to a sprinkler system be approved by the code official. The request is to allow a gas extinguishing system to be used on the 3rd floor computer server room, while taking the sprinkler trade-off for corridors. The remainder of the building is sprinklered. Following discussion, Commissioner Heinsman moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

17-12-44 LifeWay Apostolic Church, Avon

No proponent was available for questions. Commissioner Pannicke moved to table, with the second by Commissioner Corey. It was voted upon and carried.

17-12-45 DMC Insurance, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. An existing office space is being renovated to provide a unisex bathing room for employees who bike to and from work or who exercise at lunch. It will not have a water closet and lavatory as required by code, and the shared restroom in the lobby cannot be modified by this tenant to provide male and female facilities. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

17-12-46 Decatur County Fairgrounds Prefab Livestock Hoop Structure, Greensburg

Melissa Tupper, RTM Consultants, spoke as proponent. The fairgrounds have erected an open-ended, metal-framed hoop structure, with a fire-retardant fabric cover, used to shelter livestock for viewing by the public for one week during the county fair. The request is to allow the Class 1 use of the structure without complying with change of use or occupancy requirements required

by code for the remainder of the year. Craig Burgess, State Building Commissioner, noted this was an area of concern for county fair commissions all over the state. He also said he felt the Agricultural exemption was poorly worded. The calculated occupant load for the structure is 72, and travel distance is 42 feet. Following discussion, Commissioner Heinsman moved to approve, with the second by Commissioner Henson. It was voted upon and carried with two nays.

17-12-48(a)(b) Sauder Feeds, Grabill

Melissa Tupper, RTM Consultants, spoke as proponent. The request in variance (a) is to omit sprinklers in the existing feed mill and addition, classified as a B, F-1, M, S-1 occupancy. Dust collection, venting, monitoring and other safety measures have been implemented, and a manual fire alarm will be installed throughout the Type VB Construction building. Variance (b) was to allow the existing mill and addition to exceed allowable area. Following discussion, Commissioner Pannicke moved to approve both, with the second by Commissioner Henson. It was voted upon and carried.

17-12-49(a)(b) IU Luddy Hall School of Informatics and Computing, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. The request in (a) was to allow the use of mineral wool in-fill for the small gaps at the junction of the exterior curtain wall assemblies and the floor in lieu of the code-required containment system. The building is fully sprinklered. Following discussion, Commissioner Furnish moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Commissioner Pannicke abstained. Variance (b) was to omit sprinklers beneath the open stairways. The stairs are noncombustible, and the design and placement of the close spaced floor opening protection sprinklers, side wall sprinklers and draft curtains were done with consideration of the obstructions. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Henson. It was voted upon and carried. Commissioner Pannicke abstained.

17-12-51(a)(b) Muncie Water Treatment Plant Phase 2 Improvements, Muncie

Christina Collester, RTM Consultants, spoke as proponent. The request in (a) is to omit the sprinklers for the Group H occupancy. The stored materials used to treat water are, except for the activated carbon, noncombustible, but many are reactive with water. The building is only occupied for monitoring, training, or maintenance of equipment. Following discussion, Commissioner Henson moved to approve, with the second by Commissioner Jordan. It was voted upon and carried. Variance (b) is to allow a single exit. The occupant load will exceed 3 during limited periods of training or during a tank replacement. Maximum travel distance will not exceed 75 feet. Following discussion, Commissioner Pannicke moved to approve, with the second by Commissioner Henson. It was voted upon and carried.

17-12-53 Hamilton Heights Middle School, Arcadia

Carrie Ballinger, RTM Consultants, spoke as proponent. The request was to allow the existing means of egress to be altered during construction of the new gymnasium and classroom addition. Egress signs will be revised, and fire drills will be conducted as required. Following discussion, Commissioner Pannicke moved to approve with the condition the variance be valid until September 1, 2019. Commissioner Popich made the second. It was voted upon and carried. Commissioner Henson abstained.

17-12-54(a)(b)(c)(d)(e) Ball State University New Residence Hall, Muncie

Ed Rensink, RTM Consultants, spoke as proponent. Variances (a), (b), and (c) had been eligible for the block vote. Commissioner Pannicke moved to approve all three, with the second by Commissioner Corey. It was voted upon and carried. Commissioner Henson abstained. Variance (d) was to allow the steel and roof of the entrance canopy to omit fireproofing to meet the 1-hour requirement. The canopy is to be provided only to shelter occupants entering or exiting the building, and no fuel load will be under the canopy. Commissioner Popich moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Commissioner Henson abstained. Variance (e) was to allow new duct risers providing fresh air to dorm rooms on floors 2-5 to be provided with fire dampers at the floor level at each penetration in lieu of enclosure within individual 2-hour rated shaft enclosures. Following discussion, Commissioner Pannicke moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Commissioner Henson abstained.

17-12-55(a)(b) Ball State University, Muncie

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Commissioner Henson abstained from this variance. Variance (a) was to allow a portion of the roof construction, within 12 feet of a partial second floor, to be non-rated. The building will be sprinklered, with the portion of non-protected roof structure upgraded from Light Hazard occupancy to Ordinary Hazard Group 1 protection. The request is to omit the steel fireproofing. Commissioner Jordan noted a wood-slat ceiling on the plans and asked if they were planning to sprinkle the ceiling. Mr. Gerdes, unaware of the ceiling and noting it would require sprinklers above and below, asked they table for him to contact the architect. Commissioner Furnish moved to table for a few minutes, with the second by Commissioner Popich. It was voted upon and carried.

17-12-56 Berne Crossing, Berne

Dennis Bradshaw, FP&C Consultants, spoke as proponent. Pastor Christopher Kruchkow, Berne Crossing, also spoke. An alternative school is currently in an existing building which had been a retail store, the only building in Berne large enough to house the program. Because The Crossing National program is considered a school by the State Board of Education, the location is classified as a school, and is therefore required to comply with the requirements for a new building or use Chapter 34 of the Building Code. Because the school does not operate in the same manner as a traditional school but with the emphasis on individual, computer-based learning, the proponent

feels the building, built before April 30, 1998, should be considered a business occupancy and not have to comply with change of use requirements. There are less than 50 students split into either a morning or an afternoon program. Egress lighting and emergency exit signs will comply with current requirements. The basement of the building will not be occupied and used only for mechanical equipment and maintenance, with the door locked and limited access to the basement for adults. The Crossing National feels the current location will be used for approximately two years more, and the cost would exceed their capabilities. Rob Staley, Crossing Administrator, was reluctant to have the facility declared a B occupancy and not an E occupancy. As a licensed school administrator, he feels it is a school since their goal is to help the children in their program complete their high school graduation requirements and receive a diploma or GED from the public schools from which they had been referred. He felt that smaller groups worked better in rural settings and in alternative schools especially. Pastor Kruchkow also stated that if the Commission wanted to keep the enrollment below 50 students, he would do that, especially since they have never had 50 students enrolled in their school at one time. It was suggested that by calling the Type VB construction building an E occupancy, they could request a variance to not sprinkler the basement. This would bring their square footage below the 9000 square feet which triggers the sprinkler requirement, and they would comply with code as an E occupancy. The proponent asked that they table the variance so that he could research this option. Commissioner Pannicke moved to table, with the second by Commissioner Corey. It was voted upon and carried.

17-12-57(a)(b) Project-Condor Plant 5AT West Dock Addition, Indianapolis

Dave Cook, Ralph Gerdes Consultants, spoke as proponent. A new office/dock addition to an existing 1942 building was to be built per unlimited area provisions. The request was to allow the 16 abandoned concrete test cells and the adjacent control rooms to remain unsprinklered, though code requires the entire building to be sprinklered. The addition and existing building, except for the 16 cells, will have an NFPA 13 system. Randy Gulley, Wayne Twp. Fire Department, was present and did not object to the variance. Following discussion, Commissioner Pannicke moved to approve with the condition that signage be posted on the test cells stating no occupancy was to be allowed. Commissioner Corey made the second. It was voted upon and carried. Variance (b) was to allow a gas extinguishing system in lieu of a wet sprinkler system covering a computer Main Distribution Frame room. Following discussion, Commissioner Heinsman moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

17-12-58 White County Goat Barn, Reynolds

Melissa Tupper, RTM Consultants, spoke as proponent. An addition of 6,720 square feet is to be made to an existing building which is used to show house goats during the fair. The building is not occupied the rest of the year. The request is to omit the 2-hour separation between existing and addition. Only 3,240 square feet of the building is enclosed and within allowable area for an A-3/A-4 occupancy, with the remainder of the building under roof only, open to the exterior. Calculated occupancy load is 222 people and 68 head of livestock for a total of 290 occupants. Travel distance is 91 feet. Following discussion, Commissioner Pannicke moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

17-12-59 Goeglein's Cider Barn, Ft. Wayne

Carrie Ballinger, RTM Consultants, spoke as proponent. A local orchard had remodeled an existing barn which had been a cider mill and farmer's market to serve as a seating area and commercial kitchen. A mezzanine, not open to the floor below, is being used as a meeting area. The building is being evaluated under Chapter 34 as non-separated A-2, F-2 and M occupancies, but will not pass without the addition of a costly sprinkler system throughout the building if the mezzanine is considered a second floor. The mezzanine, with operable windows, is currently being used as a meeting room for a Cub Scout den. The anticipated occupant load is 15, with a calculated load of less than 50. The egress stair for the mezzanine empties into the bar area, and the owner will not allow the Scouts to use the room while the bar area is open. Following discussion, Commissioner Pannicke moved to deny, with the second by Commissioner Popich. It was voted upon and carried.

17-12-61(a)(b)(c) Sunset View Groceries, Rockville

Carrie Ballinger, RTM Consultants, spoke as proponent. Variances (b) and (c) had been eligible for the block vote. Commissioner Pannicke moved to approve both, with the second by Commissioner Henson. It was voted upon and carried. Variance (a) was a request to omit the hood over the domestic range to be used to warm soups and sandwiches for carryout in the Amish grocery store. Following discussion, Commissioner Pannicke moved to approve, with the second by Commissioner Henson. It was voted upon and carried.

12. Comments and Adjournment

Chairman Nicoson thanked everyone for attending, and wished everyone a happy holiday. He then adjourned the meeting at 6:00 pm.

APPROVED: _____
Robin Nicoson, Chairman

